

STATE DRIVING BUSINESSES LICENSURE BOARD
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 9/25/2015

BOARD MEMBERS PRESENT: Sally K Phillips - Chair
Theresa A Bradford
Jason Jerome
Wayne P Johnson

BOARD MEMBERS ABSENT: Lon A Pyper, Sr

BUREAU STAFF: Tana Cory, Bureau Chief
Lori Peel, Investigative Unit Manager
Mitchell Toryanski, Legal Counsel
Landon Brown, Board Prosecutor
Cherie Simpson, Management Assistant

OTHERS PRESENT: Wesley Hult
Mike Ryals

The meeting was called to order at 2:00 PM MDT by Sally K Phillips.

APPROVAL OF MINUTES

Ms. Bradford made a motion to approve the minutes of 8/20/2015. It was seconded by Mr. Johnson. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the rules will be published in the October Administrative Rules bulletin.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a cash balance of (\$17,095.05) as of August 30, 2015.

Ms. Cory presented the Contract for services to the Board. Mr. Johnson made a motion to approve the contract and authorize the Chair to sign. It was seconded by Ms. Bradford. Motion carried.

DISCIPLINE

Landon Brown presented a memorandum regarding case numbers DRB-2015-1 and DRB-2015-2. After discussion, the Board gave recommendations for appropriate discipline.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Bradford made a motion to approve the Bureau's recommendation and authorize closure in case numbers I-DRB-2015-3, I-DRB-2015-4, I-DRB-2015-5, I-DRB-2015-6, I-DRB-2015-7, I-DRB-2015-8, I-DRB-2016-1, I-DRB-2016-2, I-DRB-2016-3, and I-DRB-2016-4. It was seconded by Mr. Jerome. Motion carried.

BOARD IMMUNITY

Mr. Toryanski discussed the North Carolina State Board of Dental Examiners vs The Federal Trade Commission.

OLD BUSINESS

To Do List – The Board reviewed the to-do list and no action was taken.

A draft postcard to licensees regarding Rule changes was reviewed. Mr. Jerome made a motion to approve the postcard with the revisions recommended by Mr. Toryanski. It was seconded by Mr. Johnson. Motion carried.

Application forms for the Driving Instructor and Driving Apprentice were reviewed. Mr. Jerome made a motion to add a line to the Driving Instructor application requesting the apprentice permit number. It was seconded by Ms. Bradford. Motion carried.

NEW BUSINESS

Discussion was held on expired licenses. Idaho Code 67-2614 clarifies the renewal process and states that failure to receive a renewal application does not excuse failure to renew. Discussion was held on what the consequences should be when the Bureau is notified of licensees operating on an expired license. The penalty for operating on an expired license will be further discussed at the next meeting.

EXECUTIVE SESSION

Mr. Jerome made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Bradford. The vote was: Ms. Bradford, aye; Mr. Jerome, aye; Mr. Johnson, aye; and Ms. Phillips, aye. Motion carried.

Mr. Jerome made a motion to come out of executive session. It was seconded by Ms. Bradford. The vote was: Ms. Bradford, aye; Mr. Jerome, aye; Mr. Johnson, aye; and Ms. Phillips, aye. Motion carried.

CE FOR REINSTATEMENT

Mr. Jerome made a motion to approve all Continuing Education presented for reinstatement with the exception of 901108567. It was seconded by Ms. Bradford. Motion carried.

Mr. Jerome made a motion to approve the request for a special exemption of continuing education based on Board Rule 201.06 for 901108567. It was seconded by Ms. Bradford. Motion carried.

APPLICATIONS

Mr. Jerome made a motion to approve Jeffrey Bowman for an apprentice permit Nunc Pro Tunc and for licensure as a driving instructor. It was seconded by Ms. Bradford. Motion carried.

Mr. Jerome made a motion to deny the apprentice permit for Jeffrey Sessions based on Board Rule 250.07.b. It was seconded by Ms. Bradford. Motion carried.

Mr. Jerome made a motion to deny the approval of apprenticeship program for Buckle Up Driving School on the basis that it is not needed as the other school has already been approved for apprenticing. It was seconded by Ms. Bradford. Motion carried.

Mr. Jerome made a motion to approve 901112198 pending the location of the primary classroom location. It was seconded by Ms. Bradford. Motion carried.

ADJOURNMENT

Mr. Jerome made a motion to adjourn the meeting at 5:25 p.m. It was seconded by Ms. Bradford. Motion carried.

Sally K Phillips, Chair

Theresa A Bradford

Jason Jerome

Wayne P Johnson

Lon A Pyper Sr

Tana Cory, Bureau Chief